

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
NORTHERN DIVISION**

LATOYA BROWN, ET AL.

PLAINTIFFS

v.

CIVIL ACTION NO. 3:17-cv-347 WHB LRA

MADISON COUNTY, MISSISSIPPI, ET AL.

DEFENDANTS

**MOTION TO EXCLUDE PLAINTIFFS' UNTIMELY DESIGNATION OF
[DKT. #304-4] ROBERT MCNEILLY AS NEW EXPERT WITNESS BY DEFENDANTS**

Defendants, Madison County, Mississippi, and Sheriff Randall C. Tucker, in his official capacity, move this Court to exclude Plaintiffs' untimely designation of Robert McNeilly as a new expert witness in this matter pursuant to *Fed.R.Civ.P. 26* and *Fed.R.Civ.P. 37*. In support of their Motion, Defendants hereby incorporate and adopt the facts and legal arguments set forth in their [Dkt. # 321] Memorandum supporting their Motion.

WHEREFORE, PREMISES CONSIDERED, Defendants move this Court to exclude the untimely and irrelevant report and opinions of Robert McNeilly under Rule 26 and Rule 37.

This the 30th day of July, 2018.

**MADISON COUNTY, MISSISSIPPI and
SHERIFF RANDALL C. TUCKER, IN
HIS OFFICIAL CAPACITY**

BY: /s/ Rebecca B. Cowan

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CERTIFICATE OF SERVICE

I, Rebecca B. Cowan, hereby certify that I electronically filed the foregoing with the Clerk of Court using the CM/ECF system which will automatically send email notification of such filing to the following:

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So, certified this the 30th day of July, 2018.

/s/ *Rebecca B. Cowan*
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